

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Samuel Der-Yeghiayan	Sitting Judge if Other than Assigned Judge	
<b>CASE NUMBER</b>	10 C 5163	<b>DATE</b>	5/9/2012
<b>CASE TITLE</b>	Calvin L. Merritte (R-53322) vs. Thomas Templeton, et al.		

## DOCKET ENTRY TEXT

For the reasons stated below, Plaintiff's motions to supplement the record on appeal [64] and to dismiss the appeal [65] are denied as moot. Plaintiff's motion for stay of proceedings to enforce a judgment [61] is also denied as moot.

■ [ For further details see text below.]

Docketing to mail notices.

## STATEMENT

This matter is before the court on Plaintiff Calvin L. Merritte's (Merritte) *pro se* motions. Since Merritte is proceeding *pro se*, the court has liberally construed his *pro se* filings. *See Greer v. Board of Educ. of City of Chicago, Ill.*, 267 F.3d 723, 727 (7th Cir. 2001)(indicating that a court should "liberally construe the pleadings of individuals who proceed *pro se*"). Merritte has filed a motion seeking to supplement the record on appeal and a motion to dismiss the appeal in order to allow him to supplement the record on appeal. On April 26, 2012, the Seventh Circuit dismissed the appeal in this action due to Merritte's failure to pay the filing fee for the appeal. Therefore, Merritte's motion to supplement the record on appeal and motion to dismiss the appeal are denied as moot.

Merritte has also filed a "Motion for Stay of Proceedings to Enforce a Judgment." (Mot. Stay). Merritte contends that on January 27, 2012, he filed a motion to alter or amend judgment and a motion for appointment of counsel, and that he has not received a disposition on either motion. Merritte requests that the court stay any enforcement of a judgment entered in this case until a ruling is entered by the court on the motions. On March 16, 2012, the court denied both the motion to alter or amend judgment and the motion for appointment of counsel and on April 26, 2012, the Seventh Circuit dismissed the appeal in this action.

<b>STATEMENT</b>
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Therefore, Merritte's motion to stay is also denied as moot.
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